



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

DANTANARAYANA

Atty. Ref.: PTB-4398-176

Serial No. 09/868,875

TC/A.U.: 3734

Filed: September 18, 2001

Examiner: Michael G. Mendoza

For: THIN FLEXIBLE ENCLOSURE FOR SUPPRESSING NOISE IN
APPARATUS FOR SUPPLYING BREATHABLE GAS

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January 31, 2008

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CONFIRMATION OF TELEPHONIC INTERVIEW

The Patent Office issued a Notice of Abandonment in relation to the above-identified application on January 10, 2008.

The Notice of Abandonment was not anticipated in view of the April 17, 2007 telephone conference with Examiner Mendoza in which he agreed that the finality of the October 17, 2006 rejection was improper. Accordingly, as summarized in Applicant's April 17, 2007 Confirmation of Telephonic Interview, Examiner Mendoza agreed to withdraw the final rejection and issue a new Office Action.

Upon receiving the Notice of Abandonment, Applicant's representative attempted contact both Mr. Mendoza and his Supervisor, Mr. Hayes. Applicant appreciates the courtesies extended by Examiner Hayes during telephone conferences on January 18 and January 25. During the January 25 telephone conference, Mr. Hayes agreed that the Notice of Abandonment would be rescinded and that a new Office Action would be prepared by Examiner Mendoza in due course.

Thus, it is not believed that any further action on the part of the Applicant is necessary at this time. Applicant looks forward to receiving the Examiner's next communication.

Applicant believes that no fee is required for consideration of this Confirmation of Telephonic Interview, however, should the U.S. Patent and Trademark Office determine otherwise, authorization is hereby granted to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 14-1140 referencing docket number PTB-4398-176.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



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